

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

DAVIS J. GOBERT,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. CIV-09-1368-C
	)	
GREG PROVINCE, Warden,	)	
	)	
Respondent.	)	

ORDER

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on December 18, 2009, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge and no point would be served in repeating that analysis. In his objection, Petitioner merely restates the conclusions and legal argument originally asserted. There is nothing asserted by the Petitioner which was not fully considered and correctly rejected by the Magistrate Judge, and no argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this case is dismissed upon filing. As no amendment can cure the defect, this dismissal acts as an adjudication on the merits, and a judgment will enter.

IT IS SO ORDERED this 7th day of January, 2010.



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ROBIN J. CAUTHRON  
United States District Judge